

6482. Adulteration and misbranding of water. U. S. * * * v. Deerfield Mineral Springs Co., a corporation. Plea of guilty. Fine \$30 and costs. (F. & D. No. 8775. I. S. No. 2005-m.)

On March 27, 1918, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Deerfield Mineral Springs Co., a corporation, Deerfield, Ohio, alleging shipment by said company, on or about August 7, 1916, in violation of the Food and Drugs Act, as amended, from the State of Ohio into the State of New York, of a quantity of an article labeled in part, "'Tripple Bi-Carbonate,' Deerfield Water," which was adulterated and misbranded.

Examinations of samples of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

Ions.

Silica (SiO_2)	15.0
Sulphuric acid (SO_4)	122.3
Bicarbonic acid (HCO_3)	541.7
Nitric acid (NO_3)	4.4
Chlorin (Cl)	11.5
Calcium (Ca)	53.1
Magnesium (Mg)	21.1
Sodium (Na) by difference	171.0
Total	940.1

Hypothetical combinations.

Sodium nitrate (NaNO_3)	6.0
Sodium chlorid (NaCl)	19.0
Sodium sulphate (Na_2SO_4)	180.9
Sodium bicarbonate (NaHCO_3)	377.5
Magnesium bicarbonate ($\text{Mg}(\text{HCO}_3)_2$)	126.9
Calcium bicarbonate ($\text{Ca}(\text{HCO}_3)_2$)	214.8
Silica (SiO_2)	15.0
Total	940.1

Sanitary analysis.

	Bottle 1.	Bottle 2.
Ammonia, free	None	None
Ammonia, albuminoid	0.006	0.024
Nitrogen as nitrites	None	.001
Nitrogen as nitrates	1.00	1.00

Contents of 4 bottles average, 1 quart, 1 pint, 15.6 fluid ounces.

Bacteriological examination of the water shows it to be polluted.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

It was alleged in substance that the article was misbranded for the reason that certain statements appearing on the labels of the bottles falsely and fraudulently represented it as a cure for stomach trouble, kidney disease, uric acid poisoning, and liver troubles, when, in truth and in fact, it was

not. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On February 5, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

J. R. RIGGS, *Acting Secretary of Agriculture.*